

CODIFIED ORDINANCES OF LOUDOUN COUNTY

PART SIXTEEN - FIRE PREVENTION CODE

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Chap. 1602. Statewide Fire Prevention Code.

EDITOR'S NOTE: Former Chapters 1604 through 1688 and the Appendix were repealed by implication by Ordinance 88-06, passed March 21, 1988, which adopted the Statewide Fire Prevention Code.

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| <p>1602.01 Adoption by reference.</p> <p>1602.02 Local enforcing agent; application of Code.</p> <p>1602.03 State enforcement procedures; authority of Fire Marshal.</p> | <p>1602.04 Local enforcement procedures; authority of Fire Marshal.</p> <p>1602.05 Board of Appeals.</p> <p>1602.06 Amendments.</p> |
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CROSS REFERENCES

- Sending firefighters and equipment beyond territorial limits - see Code of Va. ' ' 27-1, 27-3
- Contracts for fire prevention with cities and towns - see Code of Va. ' ' 27-2, 27-4
- Statewide Fire Prevention Code Act - see Code of Va. ' 27-94 et seq.
- Fire zones and districts - see Code of Va. ' 27-23.1 et seq.
- Fire Marshal - see ADM. Ch. 250
- Authority of fire departments re traffic control - see TRAF. Ch. 424
- Fire hydrants and fire lanes - see TRAF. Ch. 486

1602.01 ADOPTION BY REFERENCE.

There is hereby adopted by and for the County the Statewide Fire Prevention Code, as amended, and all future amendments thereto, which shall be known as the Loudoun County Fire Prevention Code.

(Ord. 93-13. Passed 11-17-93.)

1602.02 LOCAL ENFORCING AGENT; APPLICATION OF CODE.

The Department of Fire Rescue is hereby designated to act as the enforcing agent for the Statewide Fire Prevention Code adopted in Section 1602.01. Such enforcement authority shall not automatically apply within the boundaries of the incorporated towns located in the County.

(Ord. 93-13. Passed 11-17-93.)

1602.03 STATE ENFORCEMENT PROCEDURES; AUTHORITY OF FIRE MARSHAL.

The enforcement procedures of the Loudoun County Fire Prevention Code, which adopts the Statewide Fire Prevention Code, shall be instituted by the County Fire Marshal and administered in accordance with the Statewide Fire Prevention Code, as adopted in Section 1602.01.  
(Ord. 93-13. Passed 11-17-93.)

1602.04 LOCAL ENFORCEMENT PROCEDURES; AUTHORITY OF FIRE MARSHAL.

The County Fire Marshal shall establish such procedures or requirements as may be necessary for the administration and enforcement of this chapter. Such procedures shall meet with the approval of the Board of Supervisors.  
(Ord. 88-06. Passed 3-21-88.)

1602.05 BOARD OF APPEALS.

A County Board of Appeals shall be designated as the Appeals Board to hear grievances arising from the application of the Loudoun County Fire Prevention Code and/or the Statewide Fire Prevention Code.  
(Ord. 93-13. Passed 11-17-93.)

1602.06 AMENDMENTS.

The following sections of the Statewide Fire Prevention Code are hereby amended as follows:

F-103.6.1 Fire Marshal's Fees: A permit shall not be issued until the designated fees have been paid, as required. The following fees shall be charged for each permit required by the designated Article.

Article 3	Pit burning	\$ 100.00
	Use of open flame device for removing paint	75.00
	Storage of combustible or flammable materials in excess of 2,500 cubic feet	150.00
	Storage or handling of over 25 pounds of pyroxylin plastics	75.00
	Storage or handling of over 25 pounds of cellulose nitrate film	75.00
Article 8	Operation of airport, heliport or helistop	75.00
Article 9	Application of flammable or combustible finishes in excess of one gallon per day	75.00
Article 10	Bowling establishments, pin and lane refinishing	75.00

Article 12	Dry cleaning plants	\$ 75.00
Article 13	Dust explosion hazards and dust producing processes	75.00
Article 14	Fumigation and thermal insecticidal fogging	75.00
Article 15	Lumber yards and woodworking plants storage or use of more than 100,000 board feet of lumber	75.00
Article 16	Oil and gas production	75.00
Article 17	Places of assembly and educational uses	75.00
Article 18	Semiconductor fabrication facilities using hazardous production materials	75.00
Article 19	Service stations and repair garages	75.00
Article 20	Tents and air supported structures over 120 square feet in area	75.00
Article 21	Wrecking yards, junk yards and waste handling plants	75.00
Article 22	Welding or cutting, calcium carbide and acetylene generators	75.00
Article 23	Combustible fibers storage or handling in excess of 100 cubic feet	75.00
Article 24	Compressed gases use, storage and handling	75.00
Article 25	Cryogenic liquids production, use, storage and sale	75.00
Article 26	Explosives, ammunition and blasting agents	
	Storage, approved overnight	75.00
	Transportation, each vehicle	20.00
	Use, each site or location	50.00
	Firm or company license	50.00

Article 27	Fireworks Retailer and/or wholesaler each location	\$ 500.00
Article 28	Flammable and combustible liquids Manufacture, use, transportation and storage Removal of existing tank(s)	50.00 50.00
Article 29	Hazardous materials and chemicals use and storage Material safety data sheet (MSDS) or other filing requirements of SARA, 1986, for each page Hazardous material transportation vehicle inspection fee	500.00 2.00 250.00
Article 30	Liquefied petroleum gases	75.00
Article 31	Magnesium melting, casting, heat treating, machining, working or grinding of more than 10 pounds per day	75.00
Article 32	Matches manufacture or storage of over 25 cases aggregate	75.00
Article 33	Organic coatings manufacture of over one gallon per day	75.00
Article 34	Pesticides storage, handling or manu- facture of more than 25 pounds or gallons	75.00

No fee shall be charged for permits for display of aerial fireworks.

F-300.1 Scope: The following are general provisions for precautions against fire and explosion to be applied to the use of all properties.

F-303.1 General: Any person using a torch or other flame-producing device for removing paint and sweating or thawing pipes from any building or structure shall provide one approved fire extinguisher or water hose connected to the water supply on the premises where such burning is done. In all cases, the person doing the burning shall remain on premises one hour after each use of the torch or flame-producing device. Such work will be conducted between the hours of 7:00 a.m. and 7:00 p.m.

F-306.1.1 Christmas trees: Natural Christmas trees, to include live-cut and living trees in planters, tubs, etc., shall be flame retardant, as approved by the County Fire Marshal, for use in places of public assembly and educational, institutional, commercial and industrial occupancies. No tree or decoration will be placed so as to obstruct exitways, means of egress or aisleways (consistent with Section F-601.1).

F-307.4 Grills: Open flame grills, hibachis, gas grills, etc., shall not be utilized within 15 feet of any apartment(s), apartment building(s), condominium(s), commercial business(es), health care facilities, housing for the aged or housing for the physically and/or mentally impaired.

F-313.2.1 Construction of signs: All fire lane signs must be constructed of metal or other material approved by the Code Official at least 12 inches wide and at least 18 inches high. The lettering size shall be as follows:

1. The word "or" shall have 1 inch high letters.
2. The words "NO PARKING" or "NO STANDING" shall have 2 inch high letters.
3. The words "FIRE LANE" shall have 2-1/2 inch letters.
4. Directional arrows shall be 1 inch solid lines.
5. The board trim shall be 3/8 of an inch wide.
6. Signs will be posted no more than 50 feet apart. The background shall be of white colored reflective material.

F-313.2.2 Posting of signs: Each sign shall be mounted 7 feet from grade level to the top of the sign and must be within 7 feet of the parking curb or curb line.

F-313.2.3 Enforcement: Any violations of Section F-313.2 shall be enforced by the County Fire Marshal or his designated representative, any authorized law enforcement officer or any law enforcement official of Loudoun County under Chapter 486, of the Codified Ordinances of the County.

F-501.0 Definitions:

Alarm company operator: A business operated for profit engaged in the installation, maintenance, alteration or servicing of alarm systems or which responds to such alarm systems.

Automatic Dialing Device: A device which is interconnected to a telephone line and is programmed to select a predetermined telephone number and transmit by prerecorded voice message or code signal the existence of a hazard requiring urgent attention and to which fire-fighters are expected to respond.

F-502.1.1 Notification: The County Fire Marshal must be notified not less than 2 hours prior to conducting such action(s) specified in Section F-502.1.

F-509.5 Misuse of 9-1-1 system: No person shall use a prerecorded message transmitted directly to a "9-1-1" telephone number, nor shall any person install, operate or maintain an automatic dialing device which is programmed to transmit a prerecorded message or code signal directly to a "9-1-1" telephone number.

F-509.6 Nuisance alarms: In the event of the occurrence of three or more false alarms originating from the same structure location in any 30-day period due to faults in the alarm system, the County Fire Marshal shall notify the alarm company operator and/or business of this intention to cause to be disconnected such alarm system.

Unless within 15 days from the mailing or service of such notification the alarm company operator provides the County Fire Marshal with evidence that corrective action has been taken to prevent additional false alarms, the County Fire Marshal shall order the disconnection of said system. The County Fire Marshal may require a firewatch and/or the evacuation of the structure until such time as the problem has been corrected.

F-703.1.1 Egress plan: All classrooms, libraries, labs and other areas of public access within an educational occupancy shall be posted with evacuation plans in a conspicuous area of the room.

F-2101.1 Fire access: Reasonably safe aisles, driveways and uniform passageways shall be provided to permit reasonable access for fire-fighting operations, in no case less than 18 feet in width. This shall include areas where stripped vehicle bodies are stored.

F-2600.1 Scope: The equipment, processes and operations involving the manufacture, possession, storage, sale, transportation and use of explosives and blasting agents in Loudoun County shall comply with the applicable requirements of this Fire Prevention Code and the provisions of this Article and shall be maintained in accordance with NFiPA 495, NFiPA 498 and DOT 49 CFR listed in Appendix A except as conditions and operations are herein specifically covered, with the Institute of Makers of Explosives (IME) Safety Library Publications, with Regulations Governing the Transportation of Hazardous Materials as promulgated by the Virginia Waste Management Board and with the Virginia Motor Carrier regulations.

F-2600.6 Definitions:

Magazine: Any building or structure approved for the storage of explosives. Magazines shall be of two classes as follows:

Class I magazines shall be used for the storage of explosives when quantities are in excess of 50 pounds (22.70 kg) of explosive material and for the overnight storage of explosives regardless of quantity.

F-2601.1 Storage: The storage of explosives and blasting agents is prohibited within the legal geographic boundaries of any district where such storage is prohibited by the Fire Marshal, provided, however, that this prohibition shall not apply to the temporary storage for use in connection with approved blasting operations, wholesale and retail stocks of small arms ammunition, explosive bolts or explosive rivets or cartridges for explosive-activated power tools in quantities involving less than 500 pounds (227 kg) of explosive material. The overnight storage of explosives or blasting agents shall be prohibited in all zoning classifications except Industrial and Agricultural, and then only under a Special Use Permit granted by the County Fire Marshal.

- (a) If at any time explosives are found improperly stored in a magazine, such fact shall immediately be reported to the Loudoun County Fire Marshal who will take possession thereof for the purpose of safeguarding or disposing of such explosives.
- (b) The Fire Marshal shall be immediately notified of injuries to any person or damage to any property which results from the storage, transportation or use of explosives.

F-2602.2 Control in wholesale and retail stores: The storage or display of explosives and blasting caps in wholesale and retail stores is prohibited.

F-2603.1 General: The transportation of explosive materials shall comply with applicable provisions of this Fire Prevention Code and the regulations governing the transportation of hazardous materials as promulgated by the Virginia Waste Management Board.

F-2603.3 Vehicle design: Vehicles used for transporting explosives shall be strong enough to carry the load without difficulty and shall be in good mechanical condition. If vehicles do not have a closed body, the body shall be covered with a fire-resistive and moistureproof tarpaulin or other effective protection against moisture and sparks. Such vehicles shall have tight floors, and exposed spark-producing metal on the inside of the body shall be covered with wood or other nonsparking material to prevent contact with packages of explosives. Packages of explosives shall not be loaded above the sides of open-body vehicles.

F-2603.4 Vehicle prohibitions: The attachment of any type of trailer behind a truck, a tractor/semitrailer or a truck/full-trailer combination for transporting explosives is prohibited. Explosives shall not be transported on any pole trailer.

F-2603.5 Vehicle restrictions: Vehicles containing explosives shall not be taken into a garage or repair shop for repairs or storage.

F-2603.6 Vehicle contents: Only those dangerous articles authorized to be loaded with explosives by DOT 49 CFR listed in Appendix A shall be carried in the body of a vehicle transporting explosives.

F-2603.7 Vehicle inspections: It shall be the duty of the operator/driver to whom a permit has been issued, while operating or transporting in Loudoun County, to inspect daily those vehicles under such authority and employed for this purpose to determine that:

1. Fire extinguishers are filled and in operating condition;
2. Electric wires are insulated and securely fastened;
3. The motor, chassis and body are reasonably clean and free of excessive grease and oil;
4. The fuel tank and fuel line are securely fastened and are not leaking;
5. Brakes, lights, horn, windshield wipers and steering mechanism are functioning properly;
6. Tires are properly inflated and free of defects; and
7. The vehicle is in proper condition for transporting explosives.

F-2603.8 Vehicle signs: Every vehicle transporting explosives shall be marked or placarded on both sides, front and rear, with the word "Explosives" in letters not less than 3 inches (76 mm) high on a contrasting background.

F-2603.9 Separation of detonators and explosives: Blasting caps, or electric blasting caps, shall not be transported over the highways of the jurisdiction on the same vehicle with other explosives, except by permission of the Fire Marshal. Such permission shall only be granted upon compliance with I.M.E. Standard for the Safe Transportation of Class C Detonators (Blasting Caps) in a vehicle with certain other explosives.

F-2603.9.1 Vehicle routing: Vehicles transporting explosives shall be routed to avoid congested traffic and densely populated areas.

F-2603.9.2 Vehicular tunnels: Explosives shall not be transported through any completed vehicular tunnel or subway.

F-2603.10 Fire extinguisher: Every vehicle used for transporting explosives shall be equipped with a fire extinguisher (approved fire extinguishers, having a combined rating of at least 2A10BC), filled and ready for immediate use and located near the driver's seat.

F-2603.11 Emergency conditions: The Fire and Sheriff Departments shall be promptly notified when a vehicle transporting explosives is involved in an accident, breaks down, or catches fire. Only in the event of such an emergency shall the transfer of explosives from one vehicle to another vehicle be allowed on highways within the County and only when qualified supervision is provided. Except in such an emergency, a vehicle transporting explosives shall not be parked, before reaching its destination, on highways within the jurisdiction or adjacent to or in proximity to any school, hospital, bridge, tunnel, dwelling, building or place where people work, congregate or assemble.

F-2603.12 Drivers: Vehicles transporting explosives shall be in the custody of drivers who possess a valid driver's license and certified blaster's license. Such drivers shall be familiar with all State and County traffic regulations and all provisions of this Article governing the transporting of explosives.

F-2603.13 Enforcement: The Fire Marshal may enforce the regulations contained herein pertaining to the intra-County transportation of explosives.

F-2608.1.1 Loss or theft: The Loudoun County Fire Marshal shall be immediately notified by telephone of the loss or theft of any explosives. Initial notification shall be immediately following by a letter to the Fire Marshal giving complete details of type, amounts, manufacturer and all other relevant facts.

F-2701.2 Bond for display: The permittee shall furnish a bond in the amount of two million dollars (\$2,000,000) for the payment of all damages which may be caused either to a person or persons or to property by reason of the permitted display, and arising from any acts of the permittee, the permittee's agents, employees or subcontractors.

F-2701.5 Dates of sale: Approved fireworks may be sold in Loudoun County from June 1 through July 6 each year, provided that the authorized vendor has acquired the appropriate Loudoun County permits, licenses and inspections.

F-2701.5.1 Sale locations: All structure outlets, whether temporary or permanent, used for the sale or display of fireworks, must be inspected by the Fire Marshal or his designated representative prior to the sale or display of fireworks. Each location must have a minimum of two 2A10BC fire extinguishers and signs posted, stating "No Smoking Within 50 Feet" by order of the Fire Marshal. Signage must be on a wood or metal surface and placed on all four sides of a building or display area. "No Smoking" must be in 6" x 1/2" lettering. Remaining lettering shall be 2" x 1/2".

F-2701.5.2 Fireworks distribution/location: The sale, use or storage of fireworks is prohibited within 500 feet of any extremely hazardous use facility, school, day care, hospital or assembly use facility.

F-2701.6 Parking: Parking is prohibited within 50 feet of the display or storage of fireworks.

F-3000.2 Permit required: A permit shall be obtained from the County Fire Marshal's Division for each installation of liquefied petroleum gas utilizing storage containers with an individual water capacity of over 299 pounds or gallons, or when the combined container water capacity exceeds 499 pounds or gallons, irrespective of individual container size. The water capacity of the containers shall be measured in pounds or gallons, depending on the method used by the manufacturer of the tank and the agency rating the tank. Prior to making such an installation, an installer shall submit plans to the Fire Marshal's Division.  
(Ord. 90-13. Passed 11-27-90; Ord. 93-13. Passed 11-17-93.)